

REMARKS

Claims 28-33, 55, 62, 63, and 68-70 are pending and at issue in the present application. Claims 10-18 have been withdrawn. Claims 28, 55, 62, and 63 have been amended.

Claim 28 has been amended to correct a grammatical error. Claim 55 has been amended to be singly dependent and to recite a “therapeutically effective amount.” Support for this amendment is found in the specification at, *inter alia*, page 80, line 18 to page 81, line 6. Claims 62 and 63 have been amended to be singly dependent.

No new matter has been added. Reconsideration of the application is respectfully requested.

Election

On page 2 of the Office Action, the Examiner acknowledged applicants’ election with traverse of group IV (i.e., claims 28-33) and stated that claim 62 is withdrawn from consideration per 37 C.F.R. §1.142(b). Applicants respectfully disagree that claim 62 should be withdrawn because the subject matter of claim 62, which has been amended to be singly dependent from claim 28, is directed to the invention of group IV. Thus, claim 62 should be grouped with claims 55, 63, 68-70 and prosecuted together with the elected compounds to the extent of claim 28. Accordingly, examination of claim 62 is respectfully requested.

Rejections Under 35 U.S.C. §112, Second Paragraph

Claim 55 has been rejected as indefinite. The Examiner alleges that it is confusing as to what a “therapeutically amount” is and recommends that this phrase be amended to recite a --therapeutically effective amount--. In response, and in an attempt to advance the prosecution of the subject application, applicant has amended claim 55 to include the phrase “therapeutically effective amount.” Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

Claim Objections

Claims 63 and 68-70 have been objected to for being dependent on non-elected claims. The Examiner recommends that the applicant amend these claims to a single dependency, namely on claim 28. In response, and in an attempt to advance the prosecution of the subject application, applicant has amended claim 63 to be singly dependent from claim 28.

Allowed Claims

Applicants gratefully acknowledge the Examiner's indication that claims 28-33 are allowed.

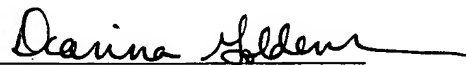
Conclusion

In view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining, which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: March 14, 2005

Respectfully submitted,

By 

Dianna Goldenson

Registration No.: 52,949

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)